

Judicial Information Systems Council Meeting (JIFFY)
Meeting Minutes
Judicial Information Division
Thursday, November 21, 2013
9:34 - 11:05 am

JIFFY Voting Members Present:

Judge Michael Bustamante, Chair
Judge Karen Mitchell, Vice Chair
Judge Stan Whitaker
Judge Duane Castleberry
Greg Ireland
Robert Mead
Tobie Fouratt
Judge Camille Martinez-Olguin(video)
Dennis Jontz
Judge Richard Knowles

Non Voting Members Present:

Renee Cascio

Guests Present:

Oscar Arevalo
Deb Williamson
Ebany Martinez-Finley
Carla Harenski
Karen Janes
Pat Simpson
Frank DiMaggio(video)
Judge Sharon Walton

JID Staff Present:

Tom Feilmeier
Grace Catanach
Carlos Cordova
Annie Hall
Trixi Bubemyre

I. Approval of Agenda. Judge Bustamante called the meeting to order at 9:34 am. Data Requests were moved to the top of the agenda to accommodate guests from UNM's Mind Institute. Judge Bustamante explained that Tom Feilmeier was sitting in for Steve Prisoc and Pat Simpson was sitting in for Artie Pepin.

Judge Knowles moved to approve the request by UNM's Mind Institute for archival records of arrests, convictions, admissions and discharge dates of convicted felons in New Mexico. Judge Mitchell seconded. No opposition noted. Motion carried.

II. Budget and Revenue.

JID Revenue Pipeline. Oscar Arevalo presented the JID Revenue Pipeline and reported that compared to last year, revenue is down. The \$10 filing fee that goes to fund CMS (p 6) civil filing fees is showing a deficit of \$17,165.00. Red Light Camera is down slightly for this quarter. On page 11, Mr. Arevalo explained that most of the SCAF Revenues will be depleted for this fiscal year and that AOC will have to rely on Red Light Camera funds to cover some of the expenditures. Telecom costs and operations continue to go up which may necessitate transferring funds from budget capacity to cover those expenditures. One time appropriations will need to be leveraged. The \$10 CMS fees are being utilized for one time expenditures for various courts, and the plan is to begin moving some of those funds now into the admin budget to cover the overall recurring costs.

Action Item: Oscar Arevalo to review the SCAF revenue transfers from Metropolitan Court for the last four months and report back to JIFFY at the January meeting.

MVD Collections Unattached to a Citation. Mr. Arevalo stated that Chief Justice Maes and Artie Pepin had met with the Secretary of Taxation and Revenue. Mr. Pepin is attempting to obtain the exact amount of monies that will be withheld from the transfers to AOC. Pat Simpson reported that MVD has not been matching up payments from traffic citations with the citations themselves. MVD had approximately 2500 payments that could not be matched up with citations. According to MVD, by law, they cannot hold onto that money for more than 24 hours without depositing it into the suspense fund and then it goes back into the general fund once a year. These funds have not been tracked and a number of people have ended up paying the municipalities and MVD for the same citation. MVD unilaterally decided that they were going to refund these citation revenues back to the motorists through the municipalities, which totaled approximately \$240,000 statewide. This refund money is being taken out of the dispersal to AOC. Mr. Arevalo stated that MVD believes that there is a statute that gives them the authority to withhold transfers from AOC retroactively for the last year. Mr. Arevalo explained that it was impossible at this time to forecast how MVD withholding a part of the transfers and the oil and gas revenues, will impact the AOC budget for the coming year.

III. JIFFY Subcommittee Activities.

Odyssey Judges User Group. Judge Mitchell reported that Judges User Group met. One of the district courts had requested direction concerning how to capture hearing officers versus judges in the Odyssey system. Renee Cascio explained that Odyssey gave the courts the ability to record both the hearing officer and supervising judge, which means there will be two judicial officers on each case. In one of the courts, the case can move between the judge and the hearing officer. If both the hearing officer and judge are listed, then the judge is getting credit on the annual report whether or not the judge hears the case. This means that it is difficult for the court to determine caseloads appropriately if there is a hearing officer and judge listed on each case. The recommendation is that the case would not be automatically assigned to a judge and hearing officer statewide. Those cases would only be automatically assigned to a hearing officer. When a judge takes over one of these cases, the court would make a judge assignment manually, and this would make it clear that the case was being heard by the judge. Judge Mitchell mentioned the issue raised by Judge Singleton concerning cases where the judge hears the bulk of the case, but there may be a hearing officer that is assigned a small section of that case. The question was raised concerning how cases of this nature would be counted. Judge Mitchell stated that there is a very evident need to conduct a new caseload study which will require time-consuming reconfiguration and recommended that this issue be put on the Parking Lot, to be revisited after the Odyssey Metropolitan rollout.

- Judge Mitchell stated that there was a recommendation at OJUG to adopt a new disposition code which would read “*convicted, sentence merged*”. It would primarily be used in felony murder cases where there is an underlying charge of burglary or assault, for example. The defendant is convicted on the underlying charge but not sentenced on it. Ms. Cascio explained that JID is being told that there is no sentence on the underlying charge, the sentence (in the data report) only exists on the murder charge.

Judge Mitchell moved to approve the request by Odyssey Judges User Group (OJUG) to adopt a new disposition code “*convicted, sentence merged*”. This charge would be used primarily in felony murder cases where there is an

underlying charge of burglary or assault. Robert Mead seconded. No opposition noted. Motion carried.

Odyssey Steering Committee. Judge Mitchell reported that the Odyssey Steering Committee (OSC) met yesterday.

- **Risks and Issues.** The three biggest risks to the Odyssey Metropolitan Court February 2014 go-live date are the AS400, staffing, and reconfiguring of forms. The Forms Committee met yesterday and the forms in red have been addressed. The Committee is meeting again this afternoon to discuss the supervision module and which of those forms are needed as well as how best to group them in packets. It was agreed that the Supervision Module would be able to be rolled out simultaneously with the Metropolitan Court Odyssey go-live. There may be some manual processes needed for the Supervision Module when it is first rolled out. One staff member at Metropolitan Court was handling the collection process and the due date calculations. This person has been taken off those projects to deal with the maintenance on the AS400. The support agreement for the AS400 will be maintained for twelve months after go-live. Tom Feilmeier reiterated that staffing continues to be the major risk to the February go-live date and at this point in the project, it would be impossible to replace a key staff member and train them in time to implement the project within the projected time frame.
- **Data Conversion.** JID has added a fifth conversion which will take place the first week of December. The sixth will take place in January and the seventh will be at go-live.
- **Configuration.** Attorney Scheduling was a configuration that Tyler implemented for Metropolitan Court in 2011. It does not record more than one officer, where there could be two or more officers on any given case. It does not account for the fact that the same officer may be scheduled to be in more than one courtroom at a time because they are not listed on a case if they are not the lead officer in a given case. JID staff and Metropolitan Court staff are working on how to resolve these scheduling conflicts. Tyler was asked to re-scope the project.
- **Odyssey Metro Development.** Traffic Arraignment and Browse Docket will be demonstrated in the next two weeks.

- **Bond Tracking.** There is confusion about the statutory licensure and the court rules and procedures. Judge Mitchell stated that Metropolitan Court is the only known court who has an effective bond tracking program. Metropolitan Court has a system to track when a certain bond company has reached their limit and that company will not be allowed to do any more bonding until some of the bonds that have been issued in other courts are released. Odyssey has the ability to track these bonds. The question is whether to implement this tracking on a statewide basis or on a court by court basis. Karen Janes voiced the concern that there was insufficient time to reconfigure the current system and suggested that a system be set up for Metropolitan Court to track the bonds that are written for them in such a way that when a new tracking system is in place, the Metropolitan Court system can be integrated into the future Odyssey bonding program. The decision by JIFFY members was that Metropolitan Court will create their own bond agreements with the individual bonding companies based on the letter of credit from the bonding company.
- **Training.** It was agreed at the OSC meeting that judges and staff would be trained concurrently. Renee Cascio stated that Helen Miller would be able to train the judges while Suzanne Winsor is simultaneously training the staff at Metropolitan Court. This will minimize the impact on cases and court scheduling.
- **Appellate Project.** Tyler has indicated that they are designing a new case type that will fit with their appellate product, but it will not be available until at least the first quarter of 2015. The Odyssey Steering Committee is proposing that JID continues to move forward with the appellate rollout with the civil case type and when Tyler has their new case type in production, then a conversion would be implemented for the appellate courts.

IV. CIO Report. Tom Feilmeier reported that there are eight districts where Session Works is being deployed at this time. Judges requested more training on the program. A statewide plan is to have a video product demonstration on every judge's desktop, as well as a quick start guide and a user guide. This procedure has been implemented in the Sixth Judicial District and the judges' felt that they had received adequate training. The other possibility would be to create handout

that shows shortcuts on how to use the product. If the user community needs more training, then Tyler can be called in to do additional training.

V. Review and Approval.

- **Self Represented Litigant (SRL) Pilot Project in the Second Judicial District.** Greg Ireland reported that this project is to help self represented litigants to create their own forms, that are then printed out and given to a judge to review. Terminals were put in the lobbies and twenty four individuals have utilized the program. Most comments were very positive concerning how easy it was to navigate and user friendly. This first phase should be completed by the middle of December. Phase two will add forms like “petition for dissolution with children, petition for dissolution with no children”, and other family court petitions. Tyler has created a module which helps authors work on scripts to create the forms. This means that the judiciary will have the capability to create forms independent of Tyler.
- **Torrance County Pilot for Magistrate E-Payments.** Renee Cascio reported that Chase payments’ merchants agreements were sent to Fiscal yesterday for their signature for Torrance County and Dona Ana County. Systems built the servers and then turned them over to Tyler to do some configuration. When the configuration is complete, it will be turned over to Renee Cascio in order to identify which data should be available on the Odyssey Public Access (OPA) site for E-payments.

VI. Future Meetings. The next meeting will be held on January 16, 2014, 9:30 am at the Judicial Information Division in Santa Fe.

VII. Adjourn. Judge Bustamante adjourned the meeting at 11:05 am.